



MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-  
Clerk of the Board of Supervisors  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

At its meeting held August 5, 2008, the Board took the following action:

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The following item was called up for consideration:

Report by the Director of Planning on the final Hearing Examiner Ordinance and Implementation Program including amendments as requested by the Board at the meeting of July 8, 2008.

Rose Hamilton, representing the Department of Regional Planning, responded to questions posed by the Board.

After discussion, on motion of Supervisor Yaroslavsky, seconded by Supervisor Antonovich, unanimously carried, the Board approved the attached recommendation.

On motion of Supervisor Yaroslavsky, seconded by Supervisor Burke, unanimously carried, the foregoing motion was reconsidered after further discussion.

Supervisor Yaroslavsky made the following statement:

“Last month, the Board of Supervisors made a number of important changes to the Hearing Examiner ordinance and Implementation Program. However, three additional changes are needed in order to ensure that the Hearing Examiner program will be fully accessible to all members of the public and the program can be effectively implemented by the Department of Regional Planning. First, the Regional Planning Commission’s hearings should receive the same public notice that they do under the current hearing procedure. In other words, the Commission’s public notice requirements should not be replaced by the public notice given for the Hearing Examiner’s hearings.

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“Second, as the ordinance and the existing county code are currently written, only the first three people who testify on any side of an issue are automatically given notice when an action is taken or a future hearing is planned. Unfortunately, this lack of notice may have the unintended consequence of excluding some members of the public from the decision-making process. To remedy this problem, the Hearing Officer, Hearing Examiner, Regional Planning Commission, and Board of Supervisors should provide decision notices to every member of the public who testifies at their respective hearings on zoning and subdivision matters.

“Finally, the chart in the implementation program delineating which cases should be sent to the Hearing Officer and which cases should be sent to the Regional Planning Commission should be amended to describe the permits and processes as they are currently found in the County Code. It should also be clarified that the chart represents guidelines only and that the Director of Regional Planning retains the authority to deviate from these guidelines on a case-by-case basis.

“I understand that the Planning Director and County Counsel have provided a revised Implementation Program and ordinance, respectively that include these changes.”

Therefore, on motion of Supervisor Yaroslavsky, seconded by Supervisor Antonovich, unanimously carried, the Board took the following actions:

1. Approved the Hearing Examiner Implementation Program, as amended to require:
  - The Regional Planning Commission’s hearings should receive the same public notice that they do under the current hearing procedure;
  - The Hearing Officer, Hearing Examiner, Regional Planning Commission, and Board of Supervisors should provide decision notices to every member of the public who testifies at their respective hearings on zoning and subdivision matters; and

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- The chart in the implementation program delineating which cases should be sent to the Hearing Officer and which cases should be sent to the Regional Planning Commission should be amended to describe the permits and processes as they are currently found in the County Code; and
- 2. Reintroduced the Hearing Examiner procedure ordinance with the changes included in County Counsel's new version and placed the ordinance on the subsequent agenda for adoption.

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Attachment

Copies distributed:

Each Supervisor  
Chief Executive Officer  
County Counsel  
Director of Planning

(ALSO SEE BOARD ORDER NO. 64 THIS DATE)